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6 **UNITED STATES DISTRICT COURT**
7 **DISTRICT OF NEVADA**
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9 ALLEN S. MEREDITH,

10 Plaintiff,

11 vs.

12 R. FLORES,

13 Defendant.
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3:13-cv-00654-RCJ-WGC

ORDER

re: Doc. # 24

15 Before the court is defendant Flores' Motion to Screen Plaintiff's First Amended Complaint.
16 (Doc. # 24.)¹

17 Plaintiff initially filed an application to proceed in forma pauperis and proposed complaint on
18 November 22, 2013; however, the application to proceed in forma pauperis was missing the requisite
19 certificate from the correctional institution verifying Plaintiff's prison account balance. (Doc. # 1, Doc.
20 # 1-1.) On May 19, 2014, Plaintiff filed another application to proceed in forma pauperis, this time
21 including the referenced certificate, and attached an "amended complaint." (Doc. # 3, Doc. # 3-1.) The
22 court screened the original complaint and determined that certain claims could proceed and others would
23 be dismissed with prejudice, yet deferred ruling on the applications to proceed in forma pauperis. (Doc.
24 # 8.) The court subsequently granted the applications to proceed in forma pauperis, and ordered the Clerk
25 to file the original complaint and amended complaint. (Doc. # 15.) Defendant Flores then filed a motion
26 requesting that the court screen the amended complaint. (Doc. # 24.)

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¹ Refers to court's docket number.

1 As defendant Flores acknowledges, the original complaint and "amended complaint" are virtually
2 identical, and contain the same factual allegations. As a result, there is no reason for the court to
3 "re-screen" the "amended complaint," as the factual allegations that gave rise to the initial screening
4 order are also present in the "amended complaint." Therefore, defendant Flores' motion (Doc. # 24) is
5 DENIED. The claims the court permitted to proceed with respect to the original complaint (see Doc. # 8)
6 will likewise be permitted to proceed in the "amended complaint." Defendant Flores has TWENTY-ONE
7 DAYS FROM THE DATE OF THIS ORDER TO FILE AN ANSWER OR OTHER RESPONSIVE
8 PLEADING.

9 **IT IS SO ORDERED.**

10 DATED: November 5, 2014.

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WILLIAM G. COBB
13 UNITED STATES MAGISTRATE JUDGE
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